

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 14755 of 2005

Date of Decision :14.5.2007

Sandeep Kumar Arya

...Petitioner

Versus

Dr. B.R. AMBEDKAR National Institute of Technology, Jalandhar

...Respondents

**CORAM: HON'BLE MR. JUSTICE M.M. KUMAR
HON'BLE MR. JUSTICE RAJESH BINDAL**

Present : Mr. H.C. Arora, Advocate
for the petitioner

Mr. Anupam Gupta, Advocate
for the respondents

M.M. KUMAR, J. (ORAL)

This petition filed under Article 226 of the Constitution of India for issuance of a writ of certiorari for quashing the order dated 9.5.2005 vide which the respondent No.3 (Board of Governors) declined to grant lien to the petitioner on the post of Lecturer (Senior Scale) in the National Institute of Technology Jalandhar and rejecting his request for withdrawal of resignation by curtailing three months/notice period for resigning from service.

Mr. Anupam Gupta, learned counsel for the respondents has withdrawn our attention to the order dated 11.9.2006 which reads as under :-

“Mr. Arora, on instructions from the client, states that if the respondents are prepared to waive the three month's period of notice and consequent deduction from the retirement benefits, he would not press this petition.

Mr. Gupta wants time to seek instructions in this regard.

Adjourned to 14.11.2006.”

Mr. Anupam Gupta further states that instructions from Director NIT Jalandhar and aforementioned proposal made by the petitioner through counsel is acceptable to the respondents and accordingly the notice period of 3 months for acceptance of resigning shall be waived.

In view of the above the writ petition is dismissed as not pressed for. Retiral benefits shall be released without deducting three months salary in lieu of the notice period.

(M.M. KUMAR)
JUDGE

(RAJESH BINDAL)
JUDGE

May 14, 2007
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